

Records Keeping Policy and Procedure

Introduction

As a registered domiciliary support service, we are required by law to gather and retain personal information, or “data”, about our staff and the people for whom we provide services.

Because we gather and retain information about people we have to comply with the United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. These laws require us to have safeguards in place for all the personal information we collect and sets out where, and how, this information is to be stored, for how long the information can be kept and how this information is to be destroyed when no longer required.

This policy sets out how Gofal Bro Cyf (Gofal Bro) will comply with all the legal requirements for safeguarding the information we hold.

Further details about how we safeguard our staff’s personal information is set out in our Privacy Notice for Applicants and Privacy Notice for Staff. In addition, we have a Confidentiality Policy and a Confidentiality of Information Agreement, which our staff are required to read and sign when they start working for Gofal Bro. We have a separate policy covering the keeping of records in the homes of people for whom we provide services.

Our philosophy

Gofal Bro is committed to complying with all the data protection laws and to ensuring all the records we are required to keep are legible, factual and accurate. We are also committed to ensuring personal information about our staff and the people for whom we provide services is stored securely, kept only for as long as required and only shared with those who are authorised to see the information.

We will only ask our staff, and the people for whom we provide services, for the information we need to allow us to comply with the laws that set out how all employers and domiciliary support services must operate. We will not use this information for any purpose other than ensuring Gofal Bro is able to operate within the law.

Record Keeping Procedures

We advise applicants, our staff and people for whom we provide services and, where appropriate, their representatives that, as a domiciliary care service we are required by law to obtain and keep certain personal information about people.

This includes for staff, information about their personal details together with information about their employment history, training and qualifications. For people for whom we provide services we have to gather and retain information about their personal details and information about their health and care needs.

The information we retain can also include copies of documents prepared by other people or organisations and copies of correspondence between Gofal Bro and other people or organisations.

This applies to information we keep on paper records, computerised records, audio or videotapes.

In addition, we are required to tell our staff, and the people for whom we provide services, the following:

- what information we collect about them;
- why we collect this information;
- how and where this information is to be kept;
- for how long this information is to be kept and how it will be destroyed when no longer required; and
- how they can see this information.

Training

During their induction we will provide our staff with guidance on the data protection requirements and guidance on what, how and where to record information about people for whom we provide services. This guidance will be updated as required to reflect any changes in legislation or practice.

In accordance with Social Care Wales' induction framework, we will also provide training for our staff on what information they need to record in the files of people for whom we provide services and how and where this information should be recorded.

Protecting Information (Data)

To ensure the security and confidentiality of the personal information we hold in the office we require our staff to:

- ensure all confidential paper records we keep are stored securely in locked cabinets within Gofal Bro's office;
- ensure only the office manager and other nominated persons have access to the keys;
- ensure all cabinets, and the room where the cabinets are located, are locked at the end of each working day and the intruder alarm for the building is activated;
- ensure all our computer screens are sited so that they cannot be seen by visitors or passersby;
- ensure all our computers are password protected and the passwords are only made known to those members of staff who are authorised to use the computers;

- ensure all the computers are either locked or switched off when not in use;
- ensure all the computers have the required software protection programmes;
- ensure, if there are any failings with the computers, they are repaired at our office in the presence of a member of Gofal Bro's staff;
- ensure nobody has access to any computer equipment that can be taken out of the office;
- ensure the originals or photocopies of documents, which contain confidential information, are not left unattended in the printer tray;
- be particularly careful when printing or photocopying documents, which contain personal information, to ensure neither the originals nor the photocopies become attached to any other documents;
- ensure the printer tray is empty at the end of each working day;
- ensure all documents, which contain personal information, that may have to be sent by email, e.g. a referral under the local safeguarding procedures, are password protected;
- ensure no documents which contain personal information are sent by post;
- print copies of all electronic documents created or received for staff and people who use our services and delete the electronic version of the document immediately afterwards;
- take particular care when carrying documents to and from the home of a person for whom we provide services and to only do this when travelling directly between both properties; and
- ensure any personal information we hold about people for whom we provide services is not shared or accidentally revealed to any person or organisation who is not authorised to see the information.

Retention and Disposal of Information

1. People who use, or have used, our services.

All the records for people for whom we stop providing services will be returned to Gofal Bro's office and kept securely for a minimum of three years from the date we cease to provide the services.

For people who are still using our services, we will also retain their records for a minimum of three years from the date of the last entry.

2. Current and former members of staff and unsuccessful applicants

We will retain data about former members of staff for six years from the date the person ended their employment with Gofal Bro.

Data for our existing staff will be kept for six years from the date of the last entry.

Data for unsuccessful applicants, where we have not obtained the applicant's agreement to keep the data in case we can offer them a post in future, will only be kept for six months.

Data for unsuccessful applicants, where we have obtained the applicant's agreement to keep the data in case we can offer them a post in future, will only be kept for nine months.

At the end of the relevant time period we will dispose of all the paper documents by shredding them at our office.

Access to Information (Data)

Our staff, and the people for whom we provide services, can ask to see copies of all the information we hold about them.

Requests can be made verbally, in writing or by email. We are required by law to respond to all requests within one month, however we will try and respond as quickly as possible.

If a person is unable to make a request themselves, Gofal Bro can accept requests from someone acting on their behalf, e.g. a solicitor or relative. We will have to be sure the person making the request is entitled to do this and the person concerned will have to provide the required evidence.

There is no fee for making a request, although we reserve the right to charge a small fee to cover administrative costs if the request involves the need to photocopy several documents.

We can prepare copies of personal information in paper form or electronically depending on a person's preference.

In certain circumstances we can refuse a request.

Our staff, and the people for whom we provide services, can also ask for any inaccurate or misleading personal information we may hold about them to be corrected. In these circumstances, we will require confirmation that the information is misleading or inaccurate before we can amend our records.

Our staff will need to be aware that people who use our services, and/or their representatives, can ask to see the information we hold about them at any time. Any request the staff receive must be passed to the office manager without delay.

Data breaches

A personal data breach means a failure of our security arrangements, which leads to personal information about a person being accidentally or illegally destroyed, lost, altered, seen by, or shared with, somebody who does not have the right to access the information.

If the breach is likely to result in a risk to a person's "rights and freedoms" and likely to have a detrimental effect on the person, e.g.

- result in the person being discriminated against;
- result in damage to the person's reputation;
- result in the person suffering financial loss; or
- result in the loss of confidentiality or any other significant economic or social disadvantage

we must report this without delay to the Information Commissioner's Office, which is an independent body set up to uphold information rights.

In certain circumstances we also have to inform the person or persons affected by the breach of the following:

- the nature of the data breach;
- how they can obtain further information about the breach;
- the likely consequences of the breach; and
- what we have done, or propose to do, to deal with the breach and, where appropriate, what we have done to reduce any possible adverse effects of the breach.

All actual or suspected data breaches must be reported to the office manager without delay. The office manager will be responsible for deciding the following:

- whether a breach has taken place;
- whether the breach will be detrimental to the person or persons affected;
- whether there is a need to inform the person or persons affected by the breach;
- whether there is a need to inform the information commissioner of the breach; and
- what steps we need to take to reduce the adverse effects of any breach.

Complaints

If our staff, and the people for whom we provide services, have any concerns about how we have handled their personal information they can report this to the Information Commissioner's Office - Wales at:

2nd Floor, Churchill House
Churchill Way

Cardiff
CF10 2HH

Telephone no: 0330 414 6421

Email: wales@ico.org.uk

Review

We will review this policy, and the arrangements we have in place for the safekeeping of people's personal information, on a regular basis.

Disciplinary

All our staff should note that a failure to follow this policy will be considered under Gofal Bro's disciplinary procedure.

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